

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FRED LEDFORD,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

**MOTION TO VACATE
28 U.S.C. § 2255**

**CRIMINAL NO.
1:13-CR-189-MHC - 1**

**CIVIL ACTION FILE
NO. 1:15-CV-236-MHC**

ORDER

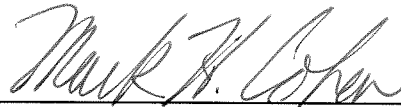
This action by Movant seeking to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 is before the Court on the Final Report and Recommendation of the Magistrate Judge [Doc. 40] recommending that the action be dismissed without prejudice for Movant's failure to prosecute and failure to obey the Court's Orders of January 28, and March 2, 2015. No objections have been filed to the Report and Recommendation. The Court **APPROVES AND ADOPTS** the Report and Recommendation as the judgment of the Court.

Movant's Motion to Vacate or Reduce Sentence (submitted as "Motion to Compel Government to File Fed. Crim. R. 35(b) For Substantial Assistance")

[Doc. 33] is hereby **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and failure to obey the Court's Orders of January 28, and March 2, 2015.

It is further **ORDERED** that, pursuant to Rule 11 of the Rules Governing Section 2255 Proceedings for the United States District Courts, a certificate of appealability is **DENIED**.

IT IS SO ORDERED this 21st day of April, 2015.

A handwritten signature in cursive script, reading "Mark H. Cohen", written in black ink.

MARK H. COHEN

United States District Judge